

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN KEVIN WALTON,

Plaintiff,

vs.

NEMANJA VIDAKOVIC, Officer;
ZACHARY KINSELLA, Officer;
GABRIEL PENHAERRERA, KATIE
STENNECHE, Sargent; TAMMIE JENSEN,
Mental Health Coordinator; CAPTAIN
WEST, and LT. MORRISON,

Defendants.

8:20CV123

**MEMORANDUM
AND ORDER**

Plaintiff has moved for appointment of counsel. (Filing 20.) The court cannot routinely appoint counsel in civil cases. In *Davis v. Scott*, 94 F.3d 444, 447 (8th Cir. 1996), the Eighth Circuit Court of Appeals explained that “[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel. . . . The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel” *Id.* (quotation and citation omitted). No such benefit is apparent at this time. Thus, the request for the appointment of counsel will be denied without prejudice.

IT IS ORDERED that Plaintiff’s Motion for Appointment of Counsel (Filing 20) is denied without prejudice.

DATED this 22nd day of February, 2021.

BY THE COURT:


Richard G. Kopf
Senior United States District Judge